



## THE LAW OFFICE OF MATTHEW WILSON, PLLC

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August 3, 2021

**VIA EMAIL ONLY:** [kaykaydoo2@gmail.com](mailto:kaykaydoo2@gmail.com)

Ms. Karen Yax  
2442 Lonesome Dove Trail  
Lapeer, MI 48466

RE: Andreacchio v. Yax

Ms. Yax:

This correspondence is in response to your August 3, 2021, email.

Rule 26(f) of the Federal Rules of Civil Procedure --- (note, these are the FEDERAL rules; not the Mississippi rules) -- states as follows:

*(f) Conference of the Parties; Planning for Discovery.*

*(1) Conference Timing. Except in a proceeding exempted from initial disclosure under Rule 26(a)(1)(B) or when the court orders otherwise, the parties must confer as soon as practicable – and in any event at least 21 days before a scheduling conference is to be held or a scheduling order is due under [Rule 16\(b\)](#).*

Pursuant to the Court's *Rule 16 Initial Order*, the Rule 26(f) Conference has been scheduled for August 27, 2021. Ergo, 21 days before this date is August 6, 2021. Therefore, pursuant to the Court's Order and the Federal Rules of Civil Procedure, we must confer on or before August 6 - this Friday.

At this August 6 (or sooner) meeting, you and I will discuss the standard scheduling order to see if we can agree upon certain discovery parameters. If we cannot reach consensus, that's fine; the Court will decide these issues for us at the Rule 26(f) conference. However, we must confer at least 21 days in advance of the hearing. This way we are not wasting the Court's time at the hearing.

With respect, I cannot see how talking with me over the phone would make you feel "unsafe" considering that your residence in Michigan is nearly 900 miles from my location in Mississippi. (Do you really believe that I will reach my hands through the telephone to inflict upon you some sort of physical calamity? If you truly believe that, then I am sincerely flattered that you think so highly of my capabilities.)

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But I digress. The reality, Ms. Yax, is that you are simply making excuses – and silly ones at that.

Therefore, in good faith, I am giving you one more chance to give me a day and time this week when we can discuss the boundaries of discovery. Is Wednesday, Thursday, or Friday good for you? I am free all three days.

If you refuse to cooperate with my request, then I will simply prepare the Scheduling Order to the advantage of my client and submit the same to the Court. Then when we chat with the Judge on August 27, you can explain how your irrational fear of me (and telephones) was valid cause to disregard the Court's rules and order.

I will also file an appropriate motion alerting the Court how you believe its rules are “irrelevant” to you.

We are not playing games, Ms. Yax.

Govern yourself accordingly.



Matt Wilson  
Attorney at Law